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REMARKS

Reconsideration and allowance of the referenced patent application are respectfully requested. Applicants wish to thank the Examiner for conducting an interview on February 21, 2007, during which this amendment was discussed.

In view of the restriction requirement and election of species requirement in the Official Action dated July 5, 2006, and the continuation of the restriction in the Official Action dated November 3, 2006, Applicants have amended the claims in response thereto and will seek to prosecute the non-elected subject matter by filing a continuation or divisional application as appropriate. Support for the amended claims can be found throughout the application. For example, claim 30 is supported in the specification as originally filed by Example 1 and original claims 19 and 20. Claim 31 is supported by the specification as originally filed at , for example, page 8, line 5-15, page 8, line 24, page 11, line 7 and original claim 24, and claim 32 is supported by the specification as originally filed at page 12, line 13. As such, no new matter has been added. It is noted that claim 30 addresses the compound or a pharmaceutically acceptable salt thereof, whereas claim 33 differs in scope with respect to the pharmaceutically acceptable salts.

Applicants understanding is that in view of the restriction requirement and the amendment to the claims, the provisional same invention double patenting and obviousness-type double patenting rejections are no longer applicable.

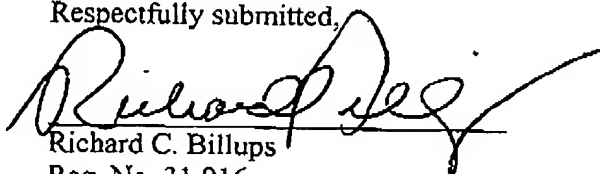
Lastly, the present application was characterized in the Official Action as claiming foreign priority under 35 U.S.C. §§ 119 (a) – (d). Please note that this application is a U.S. national phase application based upon PCT/CA03/00084 filed in Canada on January 22, 2003. It claims priority from a U.S. provisional application, serial no 60/351,384 filed on January 24, 2002. As such priority is urged to be appropriate under 35 U.S.C. § 119 (e). Receipt of the priority document was acknowledged by the USPTO on February 18, 2005. Hence, the priority claim was perfected in the international stage.

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Based upon the foregoing, reconsideration and allowance of the referenced patent application are respect requested. If the Examiner has any questions regarding the referenced patent application, he is respectfully requested to telephone the undersigned.

Respectfully submitted,

By



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